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No 102

LORD BROUGHAM'S

SPEECH

IN THE HOUSE OF LORDS,

ON FRIDAY, 2ND FEBRUARY, 1838,

ON

THE MALTREATMENT

OF THE

NORTH AMERICAN COLONIES.

LONDON :

JAMES RIDGWAY AND SONS, PICCADILLY.

1838.

P R E F A C E.

THE complaints which had been occasioned by Lord Brougham's former Speech upon the mal-administration of our Colonial affairs were renewed upon the delivery of the following Speech, not by those whose conduct was particularly impugned, but by the Noble Lord at the head of the Government. He spoke with his usual ability, but with less than his accustomed success, because it was exceedingly difficult to perceive what right he had to complain of any one for differing with him in opinion; or what there is in the Noble Viscount and his colleagues which should exempt them from the lot of all Ministers, to have their conduct discussed; or why Lord Brougham should be precluded from pursuing the course which he has all his life held, and defending his well-known principles, merely by the accident of his having once been Lord Melbourne's colleague, and afterwards Lord Melbourne's supporter, so long as his measures accorded with Lord Brougham's views of national policy and public justice. The Noble Viscount omitted to give in his able and ingenious speech any reason in support of the proposition which he did not indeed state, but from beginning to the end of his

remarks assumed to be undeniable, that whoever, having once found him and his present colleagues pursuing a sound policy for some years, shall refuse to change, not only his opinions upon that policy, but the whole opinions of his public life, at the bidding of the Cabinet, and to act thenceforth with them in opposition to all his own most cherished principles, must be actuated by some sinister motive, some feeling of a private or personal nature : Or the convenient and self-complacent proposition, thus assumed and acted upon by the Noble Viscount, may be stated in other and fewer words : It is this : that no one can be influenced by justifiable motives who does not agree with and support the present Cabinet, through any change of principle, and more especially that portion of the Cabinet whose changes have been the most marked, and have been separated by the shortest intervals of time. But to this assumption was added another, peculiarly adapted to the case of Lord Brougham. It was, that no man can ever honestly differ with Lord Melbourne, after once agreeing with him ; nor, having supported him in one line of policy, can honestly refuse to support him in its opposite, unless he has some private feeling of spite or of interest to gratify.

A charge so unexpected naturally called forth from the object of it, a peremptory and indignant denial ;—not indeed more peremptory, but possibly somewhat more indignant, than the very gross and notorious absurdity of the accusation might appear

to warrant. An honest defence disdains recrimination ; it meets the charge in front—pointedly repels it if precise, or if vague demands specification—challenges inquiry—and defies to the proof. But the duty of self-vindication once discharged, the interests of justice require that the adventurous and discomfited assailant should be pursued and exposed, in case his own conduct should peradventure be found to have been the subject to which the offensive and ill-considered censure might with perfect accuracy have been applied. Lord Brougham said that he purposely avoided all such contention, and restrained himself within the limits of distinct, unequivocal, uncompromising denial.

The satellites of the Government are understood to have been greatly edified and comforted by their leader's tone, marked as it was by more than ordinary animation, though with less than the usual provision of argument. It is respectfully asked of those zealous persons, that they would have the goodness to offer some *explanation* of the grounds of his attack, should it be expecting too much, to look for some *proof* of Lord Melbourne's assumptions, in behalf of which he offered no more argument than he did in behalf of the Bill itself, or the conduct of Lord Glenelg, or the new morality recently discovered by Sir F. B. Head. Lord Melbourne, in the exalted station which he at present occupies, may not perhaps, without want of due deference, be called upon for reasons in behalf of the decisions which he

so readily pronounces and so rarely defends. He, exempt from the ordinary lot of ordinary Ministers, to have their measures debated freely—above the vulgar necessity of assigning grounds for his opinions—removed from the sphere of common mortals, in which he described Lord Brougham to move, and in which he said, a man was often blind, to what all but himself clearly saw,—has of course the peculiar capacity of forming a sound, because an impartial judgment in his own case; and must be listened to as an authority from which there can be no appeal, when he pronounces judgment between Lord Brougham and himself, and declares that all the world, except Lord Brougham, have long since decided on Lord Melbourne's superior fitness to lead the Popular Party in this country. These are the attributes of very high station, of profuse Royal favour, and of much patronage, combined with a little power. But his adherents are not endued with the same infallibility, and cannot so easily be allowed to decide without giving reasons. It is therefore most respectfully asked of them, by what particular argument they mean to disprove Lord Brougham's right to hold in 1838, the same opinions which he held in 1837, and to pursue now the same line of conduct to which Lord Melbourne and others came over in 1831, most creditably to themselves, and most happily for the State, with a celerity that produced the most fortunate results to the country as well as to themselves? And if it be not taking too great a liberty, or taxing their invention

too severely, they are also most humbly entreated to shew why Lord Brougham has not as good a title to persevere in that course now, merely because the converts of 1831 have, very unfortunately for the State, though without any kind of reproach to themselves, abandoned it, and returned to their old opinions with a celerity as remarkable as that which marked their former conversion? When this shall be shewn, there will be laid a ground for charging Lord Brougham with personal motives in refusing to alter his conduct; and for believing that all mankind consider Lord Melbourne to be an old, consistent, and steady friend of liberal opinions.

Lord Brougham, it may be observed, has never complained of any changes in the conduct and principles of others; he may be the more easily forgiven for claiming the right of adhering to his own. Instead of asking if the conversion witnessed in 1831, of the most zealous enemies of Reform into wholesale, almost Radical, Reformers, was quite unconnected with the maintenance of the Government they belonged to, and if the re-conversion of November 1837, had its origin in nothing like a notion that the Court had become more friendly, and was better worth a prudent statesman's regard than the people. He rested satisfied with assuring the Ministers that they might any day or any hour, restore him to his position as their zealous defender against the Tory majority of their adversaries,

by simply retracting the declarations against Reform with which they unhappily ushered in the Session ; or, without formally recanting, by merely bringing forward liberal and constitutional measures. They refuse to accept any such offer ; they will not comply with that condition. Doubtless, they are right—most probably Lord Brougham is wrong ; but how he can be charged with falling into his error, great as it may be, through personal feelings, is not so easily perceived.

On the same night, Lord Melbourne disclosed a secret, which is understood to have been, until then, locked up within his own breast.—He has, it now appears, been for the last three years constantly expecting Lord Brougham to adopt the course into which he has of late been driven. Then, the observant bystander, who perceives that Lord Brougham never failed to support the Ministers most zealously until they changed their conduct, must be led to infer that this change of theirs was all the while foreseen and predetermined by the Noble Viscount—though certainly concealed with some care, and with entire success, from all his followers. But if it shall be said that the Noble Viscount's constant expectation, his daily foresight, of what he pleasantly called a change in Lord Brougham, without reflecting that it is an alteration in himself, was owing to some impression which he had respecting Lord Brougham's habits and character, it will follow that he must have given frequent indications of this mistrust, of this presenti-

ment, both in public and in private, and must have explicitly ascribed the active support of 1835, the kind and considerate abstinence of 1836, and the partial and reluctant dissents of 1837, to their real, though still not very intelligible, cause; and at all events that he never can have given Lord Brougham, or any common friends, the most distant ground for believing that he gave him the least credit for being influenced by the kindness of friendship, or the steadiness of principle, or the magnanimous sacrifice of personal considerations to either friendship or duty. It must of course be absolutely impossible that Lord Melbourne should have left his opinions and his expectations doubtful upon this head, or ever expressed any feelings of gratitude, much less any indications of being sensibly touched by Lord Brougham's conduct towards him and his government, when he was all the while penetrated with the conviction that Lord Brougham was only waiting for an occasion to vent "his long-suppressed" and thus exasperated animosity against his former friends and colleagues. If, indeed, this should not have been the case—if the very opposite should turn out to have been more nearly the fact,—it must be confessed that both these Lords have been placed in situations quite unprecedented, though the one of those situations will perhaps upon reflection be felt to be somewhat less enviable than the other. It is only consistent with fairness and candour towards a man, who certainly never on any

former occasion got into such a position, that it should be observed, how likely it is, after all, that Lord Melbourne's boast of his foresight and perspicacity, should be like his friend's (Sir F. Head's) discovery of the way to deal with revolt—an afterthought,—and that, in the heat of the moment, he painted himself in unfavourable colours, by extolling his sagacity, at the expense of far more important qualities.

But if we reach this conclusion against his own assertion, and only by resorting to the other parts of his conduct, which pretty loudly belie that assertion, it may possibly be deemed not unjust towards the other party to remark that his life has been marked by little regard to feelings of a sordid cast. That Lord Grey's Government might be formed, he most reluctantly yielded to solicitations to abandon an enviable and secure position, both as to profit and power, because he was unwilling to disappoint the Whig party, and shrank from the heavy responsibility of preventing a Reform Government from being formed—though he soon after discovered that the party had fallen into the trap, some of them it is believed very willingly, of having him removed from his real and natural place in the Commons House of Parliament. It is pretty well known that he adhered to the cause of Slave Emancipation, at a large sacrifice of private fortune. It is admitted by Lord Melbourne that his help was never withheld from the Government until they made war upon popular

rights last March, and turned their back upon popular opinions last November. Nor is it denied that he has, ever since he ceased to hold office, given up almost his whole time to Judicial duties in the House of Lords and the Privy Council, labouring as hard as most of the Judges labour in the discharge of their professional duties. Moreover if Lord Melbourne had spoken with the least reflection, he would have been aware that the facts of the case which he wholly overlooked, are irreconcilably opposed to the intimations of his alleged foresight and acuteness. What does he think, for example, of his leaving entirely out of view the somewhat remarkable circumstance, that Lord Brougham's most active and necessary exertions to defend and uphold the Government (a task somewhat heavier than Lord Melbourne is perhaps aware of), were made immediately after its formation, when of course, if at any time, Lord Brougham's differences with his former colleagues must have been the widest, upon the supposition of his listening to personal considerations? Then again, having left out of his view this fact respecting the beginning of the period, how comes the Noble Viscount to have equally passed over another fact which signalised its close—the Ministerial declaration against Reform? No attempt is here made to blame that policy; but at least there seems some haste, not to say unfairness, in wholly leaving it out of view, as if it could by no possibility be connected with the matter in question. It is further worthy of notice, that no complaints are ever made of Lord Brougham during the last two or three

years in any quarter deserving notice. A few anonymous writers, acting upon a mistaken sense of duty—if not upon an erroneous calculation, of what would gratify their patrons—amused themselves, with very bitter and somewhat heavy, though harmless invectives against Lord Brougham while he was daily sustaining those patrons with all zeal in the House of Lords. But the party—especially the Cabinet portion of it—were always abundantly loud and apparently hearty in expressing their thanks for his public support, their only complaint being that he persisted in withdrawing himself from the intercourse of their private society—a restraint which he must have considered necessary to maintain his independence, else he assuredly never could have subjected himself to what must prove a great loss of enjoyment to him, though it could prove little or none to them. This, however, was the only complaint ever heard, until the change of tone which marked the Ministerial declarations at the opening of the new Parliament. That Lord Melbourne should have mistaken Lord Brougham's conduct, if it be a mistake into which he has fallen, may appear strange—but that he should pronounce confidently upon a matter unknown to him can in nowise surprise those who heard him pronounce unhesitatingly that Dr. Robertson was “*a florid and fanciful writer.*” Lord Melbourne's station is no doubt far higher, as First Lord of the Treasury, than Mr. Gibbon's, who never rose above a seat at the Board

of Trade—but excepting in that department itself, it may be doubted whether any one can be found who would appeal to the Minister from the Historian's deliberate judgment, that Dr. Robertson was “*the most accurate of all historians.*” To charge so chaste a writer with a florid style, seems an hallucination only to be matched by the comparison of Gasca, whose name the Noble Viscount had never before heard of, with the Governor of Upper Canada, of whom he had heard a good deal too much.

It must further be observed that Lord Brougham never laid any ground for disappointment, by professing an adhesion to the Government in all circumstances. On the contrary, his speech in July 1835, at Liverpool, expressly avowed that he would look to their measures, and that when he found these were framed with a regard to the people's good, and propounded on the principles which were known to guide his public conduct, he would support them—but if another course were pursued, he would oppose them, and see which party the people would stand by. These were his words while preparing to redeem the first part of the pledge, by supporting the Municipal Reform which he almost singly fought through the House of Lords. It is once more respectfully and humbly asked why he should be so piteously complained of for now redeeming the other pledge also? It really seems as if no supporters were valued or trusted except those who have adopted the new

maxim of Treasury Morality never professed by Lord Brougham, possibly never clearly comprehended by him, that the more a Ministry is in the wrong, the more imperative becomes the duty of flying to its defence. Whoso would work out his salvation in Downing Street, it is necessary that he believe this; and if he act up to his faith, he shall be deemed a friend indeed.

That there is any great danger of the people suddenly deserting the Government, and opposing them, is little to be apprehended. The people are disappointed, disheartened, and dispirited—they are becoming distrustful of all public men of the regular Whig party, as they are hostile to all of the adverse faction, although from the latter they never could have less of Constitutional Reform, and probably would have more of important practical improvements, and at least their restoration to place, would give back to the liberal side many of its best supporters, who are at present trammelled by official connexion, and other ties hard to loosen. But although the people are thus flat and indifferent,—although they may do nothing to destroy the existing Ministry,—they will not stir a finger to help it; the first quarrel with the Court will seal its doom; and the Whigs, as a party, will have ceased to rule. The Ministers see none of these things; they hear the voice of the charmer only whose accents modulated to the key of the ear he wishes to tickle, pour out only the pleasing fallacy, the harmonious misrepresentation,

the silver-toned strain of hope, the cheerful note of confidence,—and whose especial object it is to suppress all unpleasing discords from unwelcome facts and unfavourable symptoms.—That the people are friendly while they remain passive and do not oppose ; that the select circle of the occupants of place who rival the serpent, if not in his wisdom yet in his tenacity of life, form the whole Whig party ; and that, if it is at all necessary to consult the opinions of any others, it is needless to go further than the outer circle—the eager, ardent, irrepressible, restless expectants of promotion, who have no opinions at all except of their own fitness for place, nor any principles at all except that whatever the Ministry does, or indeed can do, must be right,—and that the whole duty of political men is comprised in three words—“Support the Ministry”—such are the bland accents which compose the dulcet notes of “linked sweetness long drawn out,” and which ever vibrate grateful, seldom unrequited, on the Ministerial ear. But that they beguile the reason while they charm the sense,—that they lull their victim to sleep in the midst of peril,—and bring on a sad reverse, which they make more hard to bear by precluding all preparation for it,—are truths attested by all experience of all public men. In the present case their worst effect remains to be told. The deceiver tempts his dupes to their ruin by inducing a belief that nothing they can do will forfeit the support of staunch friends ; and it is

discovered when too late, that there may happen a catastrophe foretold by Lord Brougham in one of the Civil List debates, when he said—"That the
"people would one day awake and ring such a peal
"in the ears of the Ministers as would be remem-
"bered, not to the end of their official existence,
"but to the last hour of the public life of the
"youngest functionary among them."

S P E E C H,

§c. §c.

How comes it to pass, my Lords, by what fate of mine is it, that as often as this great question of our Colonies comes on in this place—whether in the ill-fated Resolutions of last May, or in the interlocutory conversations raised by the expectations of this measure, or on the address which announced its nearer approach, or now on the Bill itself which embodies it—I alone should be found to interrupt the universal harmony of your Councils—alone to oppose a Bill presented by the Government without any defence, but immediately taken up and zealously supported by their adversaries—alone to rise up in defence of the Constitution—alone to resist the breach of all law, the violation of all justice, in this high Court of Law, which distributes justice without appeal—alone to withstand arbitrary and tyrannical innovations, standing here, in the Senate—the Conservative Senate of a free country—alone to maintain the peace, and stay the dismemberment of the empire, among your Lordships, who of all men that live have the deepest interest in peace,

and the empire being preserved entire ? The position which I occupy is surrounded with difficulty and embarrassment ; the task I perform is a thankless one ; but I will not—I may not—abandon the post in which my duty has planted me ; and I am here, at the last hour of the hateful conflict, again attempting to discharge this ungrateful duty. From so unequal a contest I may retire defeated, but not disgraced. I am aware that I may gain no advantage for those whose rights I am defending, but I am well assured that I shall retain the approval of my own mind.

When the question of Canada was last before us, I purposely avoided following the Noble Secretary of State over the ground to which he invited me, because I knew that another opportunity would occur for discussing the provisions of the measure, the outline of which he then gave by anticipation. That occasion has now arrived, and I have attentively, and, as became me, respectfully, listened to the statement of my Noble Friend. I find that he has said in explanation of the Bill—nothing ; in defence of the Bill—nothing. Not a gleam of light was cast by him upon its darker places ; nothing was said to clear up the obscurities which are remarked in its arrangements ; nothing to reconcile the incongruities with which it abounds ; nothing to make a measure acceptable, which all allow to be harsh and arbitrary ; nothing to show why it is introduced now rather than at any other time. In

short nothing whatever is urged in defence or in palliation of the Government's Policy, save the very able, and on that portion of the subject, the very temperate speech of the Noble Earl opposite (Lord Aberdeen), an avowed adversary of the Government on all other questions. And, it must be granted, that the Noble Earl anxiously confined his support to the measure itself, and suffered no portion of his eulogy to overflow upon its authors. Taking under his protection the offspring of the Cabinet, which had been abandoned by its parent as soon as it saw the light, the Noble Earl fosters it with no stepmother's care, plainly shewing that had such a thing not been engendered on this side the House, we should have had it produced on the other. Before going however to the arguments for the measure, I must advert for a moment to the course pursued by the Noble Earl in following up the Noble Duke (Wellington) and Noble Earl's (Ripon's) protest against having it conceived that their approval of the Bill implied any approval of the Government's conduct, on which they intended afterwards to pronounce their free opinion. That opinion has now indeed been very freely pronounced by the Noble Earl ; and in listening to it, I could not help reverting to the extreme offence taken by my Noble Friend a few nights ago at the freedom of my remarks upon the same subject. I could not help recollecting the elaborate contrast which these remarks called forth between my con-

duct towards old colleagues and the Noble Duke's who had so chivalrously come to the defence of his opponents—coupled with the panegyrick pronounced, God knows, most justly, on the vast superiority of the Duke's mind to his of whose attack the Noble Secretary of State so bitterly complained. I really suspect that to-night if any such comparisons are instituted between me and the Noble Earl, I may look forward to a more favourable verdict from my Noble Friend. Not that the professions or the tone of the Noble Earl have been less friendly, than those of the Noble Duke ; for he promised to treat the Government with charity. My Lords, the Noble Earl's is not that charity which covers a multitude of transgressions ; but rather that which covers a multitude of attacks. Any thing less kindly I have seldom heard than the performance of this fine promise,—any thing more bitter to taste than the fruit that followed a blossom so fair to behold. I am in hopes that it may by its contrast with my milder rebuke, have the effect of restoring me to the affections of my Noble Friend. Of this I am quite certain, that he would fain I interposed to rescue him from the hands into which he has now fallen ; and to deliver him from the Earl, as the Duke before delivered him from me. He must be most anxious to be saved from the charity of the Noble Earl, and as for the forbearance he promised, why it was really worse to bear than the charity itself. He would

not even give the conduct of Government the poor praise of being systematically wrong.—It is not a system of delay, said he—it is a practice originating in inveterate and incurable habits of wavering, vacillation and infirmity of purpose—and all this applied to describe the conduct of a great Minister in a great emergency, which called imperiously for the very opposite qualities—and this, the Noble Earl's way of shewing his forbearance in the exercise of his charity.

Having endeavoured to set myself right on the personal matters connected with this question, and so removed the trivial parts of the subject; the way is now cleared for arriving at the important part of the argument; and I approach this, I confess, with some degree of anxiety, fearful of wearying your Lordships by repetitions which it is hardly possible to avoid. The conduct of the Canadian Assembly is attacked again—that body is condemned by my Noble Friend for an abuse of their privileges—by the Noble Earl, with more accuracy of expression for a breach of duty in refusing supplies—it is indeed the whole defence of the measure before you. Both these Noble Lords contend, that after such a refusal in Canada, there is but one course to be taken here—to suspend the constitution altogether. The powers you gave the Colony are abused: therefore take away the constitution—not, observe, resume the powers that have been abused—but take away all powers together. That

is the argument, neither as I think very conclusive, nor even quite intelligible. The Noble Earl praised the proceedings of the Committee that sat in 1828, and quoted the Assembly's words in order to prove that the Colonists were then satisfied and grateful. No doubt they were, because their grievances were considered, and redress was promised. The same kindly feelings continued not only till 1831, but after that year; they were even increased by the great measures of that year, which gave them the controul of the supplies—the power of the purse. What were those complaints which then arose against them? They had been told that whatever grievances they complained of, the power of refusing supplies gave them the means of obtaining redress—that they no longer were mocked with the name of the English constitution, but had the reality conferred upon them, with all its rights. The power which we told them we had thus bestowed, and boasted of our kindness in bestowing, the short-sighted, simple-minded men, proceeded to use, as if they really believed they had gotten it! Innocent individuals! to believe what you told them, and act upon the belief! to believe you when you said they might give their money, or might withhold it, as they chose—and they chose to withhold it! to fancy that you meant something when you said they could now stand out for redress if they had any thing to complain of—and then to stand out in the very way

you had said they might ! You give them a specific power for a particular purpose, and the instant they use it for that very purpose, you turn round upon them and say—"Saw any one ever the like of " this ? Were ever men before so unreasonable ? " You are absolutely doing what you were told " you had a full right to do whenever you pleased—" Why, you are exercising the very rights the constitution gave you—You are using the privileges " we bestowed, and using them for the purpose they " were meant to serve—You are therefore abusing " them—You are acting by the strict letter of your " new constitution—therefore you are unworthy of " it, and we shall instantly take the new constitution " away, and not only the new but the old, which " you have had for near half a century." Such is the mockery—the unbearable insult which you have put upon this people. First, you boast of having given them the power of the purse, and then the first time they use it, you cry out that they are acting illegally.—It turns out that this power of granting or refusing supplies was all the while never intended to serve any other purpose than rounding a period in some conciliatory Royal Dispatch from Downing Street, or some gracious Vice-regal speech at Quebec. The real meaning of the whole was simply this.—You shall have the power of doing as you choose about supplies, but always upon this condition, that you shall choose to do as we please.—You have the option of giving

or refusing, but understand distinctly, that if you exercise it in any way but one, you forfeit it, and with it all your other privileges.

As for the Noble Duke (Wellington) I can far more easily understand his course upon the present occasion, because he singly opposed the Bill of 1831, and entered his protest upon our Journals. He objected altogether to giving the power over supplies which that Bill bestowed. But when I turn to my Noble Friends, the authors of that Bill, they who gave that power, what am I to think, when I find them crying out treason the instant it is used? Nay, I find them not merely complaining of its use, but because it is used, they take away, not only the power itself, but the whole Constitution given by Mr. Pitt's Bill of 1791, or rather Lord Grenville's—for he was the author of the Constitution—and substituting in its stead what they themselves allow to be an arbitrary and tyrannical form of Government. The crime charged upon the Canadians, and for which they are to be punished by the loss of their free Constitution, is refusing supplies. Instantly the Resolutions are passed. The Noble Earl (Aberdeen) confesses that those resolutions are calculated to harass and vex the Canadians. Then their natural consequences follow: the Canadians are irritated, and no precaution whatever is taken to prevent them from revolting; not a man is sent; not an order issued; not an instruction forwarded; not one line written; not one word spoken, to pre-

vent what is freely admitted to be the natural consequences of the Resolutions ! All this seems sufficiently marvellous ; but this is not all : We now have a scene disclosed that baffles description and mocks belief—a scene which I defy the history of all civilized, all Christian countries, to match. A Governor—appointed to administer the law—to exercise the authority of the State for the protection of the subject—one commissioned to distribute justice in mercy—whose office it is above that of all mankind to prevent crimes—and only to punish them when it exceeds his power to prevent their being committed—he who, before all, because above all, is bound to guard against offences the people committed to his care—he who first and foremost is planted by the Sovereign in authority to keep the people out of doing any wrong, that the law may not be broken, and there may be no evil-doers to punish—he it is that we now see boasting in his despatches, wherein he chronicles his exploits,—boasting yet more largely in the speech he makes from the throne which his conduct is shaking, to the people whom he is misgoverning,—boasting that he refrained from checking the machinations he knew were going on ;—that, aware of the preparations making for rebellion, he purposely suffered them to proceed ;—that, informed the crime was hatching, he wilfully permitted it to be brought forth ;—that, acquainted with the plans laying by traitors, with the disaffection hourly spreading, with the

maturity every moment approached by treason, with the seductions practised upon the loyal subject, with the approach each instant made by the plot towards its final completion, and its explosion in a wide spread revolt ;—he, he the chief Magistrate and Guardian of the peace and executor of the law, yet deemed it fitting that he should suffer all to go on uninterrupted, unmolested ; should turn a deaf ear to the demands of the peaceable and the loyal for protection, lest any such interference should stay the course of rebellion ; nay, sent away the troops, for the express purpose of enticing the disaffected to pursue and to quicken the course of their crimes ! Gracious God ! Do I live in a civilized country ? Am I to be told that such is the conduct of a Parent State towards her children of the Colonies ? Is this the protection which we extend to the subjects over whom we undertake to rule on the other side of the Atlantic ? Does it after all turn out that our way of governing distant provinces is to witness disaffection, and encourage it till it becomes treason ; to avoid all interference which may stay its progress ; to remove all our force, lest it might peradventure control the rebellious, while it comforted and protected the loyal ? The fact was known, but the plan is now avowed ; and the fatal result is before the world. Blood has been shed ; but not on one side only—the blood of the disaffected has indeed flowed ; but so also has the blood of those whom our wicked

policy had suffered traitors to seduce. It was not until that horrid catastrophe had happened, that the King's peace was allowed to be restored! I am filled with unutterable horror and dismay at this scene! I appeal to the Bench of Bishops! I call upon them that they lay this matter to their hearts, and reflect upon the duty and the office of a Christian man. Shall he be held guiltless, be his station what it may, if he allows sin in others whom he has the power to save from it, much more if he takes measures for ensnaring his brother into guilt, that he may fall, and pay the penalty of his transgression? How much more, then, if he be a ruler of the people, set over them to keep them right! I call upon the reverend Judges of the land to frown down by their high authority, this monstrous iniquity! Let them tell how they deal with the men who come before their tribunals, not as vindicators of crime, and enforcers of the law—but as tempters to seduce the unwary, and make him their prey! Let them describe to us those feelings, which fill their breasts, when the very scum of the earth's scum is cast up before the judgment-seat,—that indignation which agitates them, and seeks its vent upon the head of him who might have prevented the law from being broken, but prefers, for some sordid purpose, standing by to see the offence perpetrated, and then drags his victim to justice! That indignation they must now transfer to this place, and pour it upon the supreme ruler of a

province, who has the courage to boast that such has been his conduct towards the people committed to his care; vaunting of such misdeeds to the Sovereign who employed him, and to the subjects whom he misgoverned in the trust which he betrayed. It is well for him to speak with regret of the blood thus spilt—well to lament the gallant Colonel Moody thus foully slaughtered, and who would never have been attacked, had the troops been left at their post whom the Governor made it his boast that he had sent away! Possibly the whole may be the after-thought of a vain man, which he never would have uttered had the revolt not been put down. But assuredly, if the force had remained, we should have had to rejoice in its prevention instead of its suppression; and instead of lamenting bootlessly the loss of the gallant men thus sacrificed, he might have had the better feeling to indulge of saving their lives to their country, and preserving instead of restoring the public peace which he was sent to maintain.

Thesame Governor, however, has not, as I find, been satisfied with a civil war; he must needs do his best to endanger the peace with the United States. He has threatened that powerful neighbour with hostilities. It appears that the neutrality of the American territory has been violated, nor could such an event excite surprise. A volunteer force must always be less easy to controul, and more prone to commit excesses, than those regularly disciplined troops who were sent

away at the time their services were most indispensable. The Noble Duke (Wellington) expressed himself satisfied with the force in the Canadas, upon the authority of military men whose opinions he had taken. No one is more ready than I am to be guided by such authority—that is to say, upon all military questions. If we are asked whether a certain number of troops be sufficient to defend a post, or even to put down a revolt which has actually broken out, to the opinion of military men I will bow—not so where the question is, what force should be kept in a province in order to prevent all revolt from taking place—that is a question of civil and not military polity. Still more if the question be whether it is fitter to keep down all rebellion, than to wait till it rages, and then suppress it—that is no more a military question than any of those matters which daily occupy the attention of Parliament; no more than a bill relative to police, or to any other department of the civil government of the country. The Noble Earl (Aberdeen) with much good sense, referred to a high authority, and cited a very sound opinion upon this grave and important subject, when he repeated the valuable saying of an eminent man, that “a far less force might be required to put down a revolt than to prevent one.” The charge I now make runs through the whole of the question before us; and one more serious cannot be brought against any government. The Ministers are

accused, and as yet without offering explanation or defence, of having occasioned by their own incapacity and that of their emissaries, a civil war, the effusion of innocent blood, and the seduction of loyal subjects from their allegiance. Upon the same gross neglect, and the necessity of employing an undisciplined and insubordinate rabble is also charged the rupture with America, to which that neglect led, not indirectly and as a remote consequence, but by a plain, direct, short route, which might all along have been easily seen and closed up. My Lords, I most deeply lament any occurrence as most disastrous and appalling, which can endanger our relations of peace and amity with the United States. But I would not be understood as thinking that this most untoward occurrence will lead to a rupture, though I fear it will exasperate men's minds and embitter the feelings already not too kindly which the last American war left behind it. I know, however, the good sense which, generally speaking, prevails among the people of America—the sound policy which, for the most part, guides the councils of its government. Long may that policy continue!—long may that great Union last! Its endurance is of paramount importance to the peace of the world—to the best interests of humanity—to the general improvement of mankind. Nor do I see how, if any disaster were to happen which should break up the Union, considering the incurably warlike nature of man, the peace of the

New World could long be maintained. But in the present case, met, as I have no doubt these wholesome dispositions towards amity will be by corresponding sentiments on this side of the Atlantic, I cherish the hope that after discussion, and explanation, and conferences, and negotiations, satisfaction will be yielded where outrage has been offered, redress will not be withholden where injury has been done, and the occasion of quarrel for the present be avoided. But there will not be an end of the consequences that must inevitably follow from this unhappy affair. The public mind will be seriously and generally irritated; the disposition to interfere with us in Canada will become far more difficult to repress; and a government at all times feeble to controul the conduct of individuals will become wholly impotent against so prevailing a spirit of hostility.—All these mischiefs I charge upon the same inexcusable, inexplicable neglect, which has left Canada bare of defence against the progress of discontent, at the moment when your rash, violent, headlong policy had excited the universal resentment of your American subjects.

But your own faults are, with unparalleled injustice, to be laid to the door of the Colonists; because you have mis-governed them, and alienated their affections, they are to be punished by the loss of their free constitution. Now, grant even that some portion of them have no justification and no excuse for their conduct—I ask you how you

defend the policy of punishing the whole community for the errors or the offences of a few? I will not here stop to solve the problem, what proportion of a people must sin before you are entitled to visit the whole with penalty and coercion; but I will ask you to recollect the argument used a few days ago by the Ministers, when I complained of no troops having been sent to preserve the peace. The outbreak was then represented as a mere trifle; an affray in which but few of the people, but a handful of men, had taken any part—it was confined to a corner of the province—to the banks of the Richelieu alone—while all the rest of the country was peaceable, loyal, and firm. In Upper Canada not a soldier was wanted, and the Governor had sent every man away, returning to the inquiry, how many he could spare, the vapouring answer, “all.”—Even in Lower Canada, six counties out of the seven were in a state of profound tranquillity, and but a few parishes in the seventh had shewn any signs of disaffection at all; almost all else was loyalty, devotion and zeal. Such was the ministerial statement last week.—Then how do you propose to reward all this loyal devotion and patriotic zeal? By depriving, not the criminal and seditious portion of the people, but the whole community of their rights;—by punishing, not the one county where the peace has been broken, but the other six also, where perfect tranquillity has reigned uninterrupted. And you intend to take away, not only

rights that have been abused, not only privileges that have been too rigorously exercised, but all the rights and privileges together, which for near half a century the Canadians have enjoyed. They are told that for the transgressions of a few, the whole liberties of the people are at an end; and my Noble Friend himself, a well-known friend of liberty, an advocate of popular rights, is to proceed among them in the character of Dictator, to enforce the Act for establishing among them a despotism never before known in any part of the British dominions. But without stopping to inquire longer into the justice of this policy, let us only ask whether or not it is consistent with our conduct towards other portions of the people;—whether or not we treat all parts of the Empire in this kind of way? Is it the course we undeviatingly pursue every where, through good report, and through evil report? Suppose we had to deal with a province situated not three thousand miles off, but almost within sight of our own shores; inhabited, not by half a million, but seven or eight millions of people; not unrepresented in Parliament, but sending over above a hundred zealous and active delegates to speak its wishes and look after its interests; and suppose that of these, a large proportion, say not less than seventy, were the sworn allies, the staunch friends, the thick and thin supporters, the unhesitating, unscrupulous voters of the very Administration which has been forging

fetters for the Canadians—the remote, unfriended, unrepresented Canadians—how would the same Government have treated the portion of the empire now called Canada, but which would then have borne another name? Suppose the leader of the seventy faithful adherents, the Mons. Papineau as he is now termed, the zealous and valuable coadjutor of the Ministers, should take up the question of an elective council—should strenuously exert himself for its success—I must here use a European expression to be understood—should agitate for it,—would his urgent demands be treated with scorn, and the prayers of his countrymen and followers be rejected with disdain? My Noble Friend, who represents the ministry elsewhere, (Lord John Russell) has furnished an answer to all these questions. Quoting from Mr. Fox, and greatly exaggerating that great man's meaning by taking literally what was said loosely, if seriously, my Noble Friend has laid it down, that in Irish affairs there is but one rule for governing the people; and what do your Lordships think that golden rule is? By doing what is right and just? By pursuing the policy which the interests of all require? No such thing! The rule is far simpler than that. By administering, as my Noble Friend on the cross bench did, (Marquess of Anglesea,) justice tempered with mercy—evinced at all times the most watchful care of the people's interests, mingled with the most undeviating condescension and kindness of

demeanour towards their persons—at once endearing himself to them by the frank urbanity of his manners, and taking care that their best interests should be unceasingly promoted—doing them justice, securing them right, but at the same time holding the balance equal, with a firm, a manly hand—and never, for any consideration, abdicating those functions of a Government from which its very name is derived? Nothing like it! What, then, is my Noble Friend, the Home Secretary's rule for governing a people? Is it to do what you ought by them? to give them what is good for them? to let them have what you ought to give, and nothing more? Oh no such thing! but it is to let them have just what they themselves wish; to do as they bid you—as they, the subjects, bid you, their Governors; in a word, to let them save you the trouble of governing them by leaving them to govern themselves. That is the rule applied to a country which is close by, with six millions of men whom one common sentiment binds together, who follow one concentrated and individual influence, and who send seventy voters to the aid of the Ministry in the other House. The rule for dealing with them is, "Give them all they ask: if an elective council, let it be elective; if a life council, be it for life;—just as they please." But for Canada, far off, thinly-peopled, and without the fraction of a member in either House to make its grievances known, or give expression and force to its desires,

another rule prevails,—“ Refuse all they ask ; turn “ a deaf ear to every complaint ; mock them with “ hopes never to be realized ; insult them with “ rights which when they dare to use shall be “ rudely torn from them ; and for abiding by the “ law, in seeking redress of their wrongs, punish “ them by the infliction of a Dictator and a despot- “ ism.” We have all seen, or we have read, of the contrast between a parent and a stepmother in the treatment of the child ; the contrast between tenderness, self-denial, self-devotion,—and cruelty, self-indulgence, studied neglect. The one exhausts every resource of kindness and conciliation, anticipates all wants, yields to each wish that ought to be granted, studies to prevent offences by judicious training, and to reclaim from error by gentleness alone ; nor ever has recourse to punishment until all means of prevention fail, and the safety of the cherished object forces her to do violence to her feelings rather than neglect her duty. But I have known conduct the reverse of all this. Who indeed has not heard of the stepmother—watching for the occasion of quarrel ; taking offence at every thing, and at nothing ; fostering any little failing of temper in the child till it ripen into disobedience, and furnish the pretext for inflicting the wished-for punishment ; alternately too indulgent and too severe ; by fits and by caprice harsh and gentle ; now flinging to it some plaything, and the instant the child uses it flying into a fury, and snatching

it away, and giving vent to anger by punishment or by restraint; now visiting on the offspring the faults of her own mismanagement; and never for an instant pursuing a steady, or a just, or a rational treatment. These things I have witnessed, as who has not? But never have I known an example of contrast so marked, so violent, so outrageous, as between the parental care of Ireland and the stepmother treatment of Canada.

The act of unprecedented oppression which Lord Durham is commissioned to execute, is, I find, explained and illustrated by the publication of the instructions under which he is to be sent out, and when I survey this strange document, I am sure I find it difficult to say whether the tenor of it or the production of it is the most unaccountable. I question if so extraordinary a proceeding altogether has ever yet been witnessed, as the publication of this paper. The Ministers have made public in January the orders which they intend to have executed next May. It is one of the great difficulties attending an extended Empire that the orders issued for the government of its distant Provinces can hardly ever be executed in the same circumstances in which they are framed, because a considerable time must needs elapse between their being dispatched and enforced. But is that a reason for unnecessarily incurring the unavoidable difficulty—by sitting down—did mortal man ever before dream of such a thing—by sitting down at the Colonial

Office in January and drawing up the orders in all their detail, which are to be obeyed by the emissary in May or June—when that emissary is not to leave the country before the month of April? How can my Noble Friend know that he will be of the same mind in April, when Lord Durham is to set sail on his hopeful mission of conciliatory coercion? The measure out of which these Resolutions have arisen has already been changed three or four times over in as many days, if report speak true. First the Ministers wavered a little; then they affected to have made up their minds; and having done so, they no sooner declared that nothing should move them from their fixed purpose, than they suddenly departed from it altogether, and adopted a totally different course, at the dictation of the Opposition in the Commons. Hesitation, uncertainty, wavering, delay—mark the whole course of their proceedings. It extends to the Noble person who is to execute these projects in Canada. My Noble Friend is not to set out on his progress towards the spot where disaffection is abroad, and insurrection has broken out, until the weather is fine. While every week is of incalculable importance, April is the time coolly appointed for his sailing, and it may be later. This extreme deliberation should seem to indicate no great apprehension that the Colony is in such a state as affords any justification of a measure like the one propounded for its coercion. The Noble Earl (Aberdeen) has mistaken what I

formerly said of my Noble Friend's powers. I never pronounced it as a clear matter that he should at all events be ordered to grant instantly an Elective Council. But I did maintain that unless he goes armed with a power of this extent, to be used if he shall see fit, his going is a mockery both of himself and of the Canadians; and that neither he nor this country can reap honour from his mission. But no power of this kind, or indeed of any kind, is to be given him. These Instructions are from the beginning to the end, Inquiry, and nothing else. They set out with stating that it may probably be found necessary to adopt some Legislative measures of a comprehensive nature for effecting a permanent settlement of the Canadian question—but what these measures are likely to be there is no intimation given; indeed the plain implication is that they have not yet been discovered; and the Instructions proceed to describe how the information is to be procured on which they may be framed. The Committee or Convention is to be formed, and then my Noble Friend is to bring before it various subjects on which he is to ask for their opinion and advice. The first is the matter in dispute between the Upper and Lower Provinces. The next subject of deliberation it is said, will be furnished by the Act of 1791, with a view to examining how its defects may be corrected. Then follow some other heads of inquiry in their order—the mode of defraying the expense of the Civil Government, the state of the

law affecting landed property, the establishment of a court for trying impeachments and appeals. On all these several subjects the new Governor is to inquire, and what then? To determine—to act—to do any thing that had not been done by his predecessors? No such thing—but to report to the Government at home exactly as they did before him. Why, have they not had reports enough? Had they not the Committee of 1828, with its ample investigation and voluminous reports? Had they not the Committee of 1834, with such a production of papers from the Colonial Office as never before was made to any such tribunal, and a report in proportion full to overflowing? The labours of these two Committees, sending for all persons, examining all papers, searching into all records, were not deemed sufficient to slake our boundless thirst for knowledge, and a Commission was dispatched to inquire on the spot. They hastened thither, and inquired for years, examined all subjects, differed upon them all, recorded their disputations in long arguments and elaborate protests, remitted the volume that contained the produce of their labours and their wranglings, and put their employers in possession of a whole body of controversy and of decisions, each Commissioner generally differing from his colleagues in the views he took of the argument, and frequently also from himself, but all agreeing in the conclusions at which they arrived, by the course of reasoning one way, and

deciding another. Will not this satisfy us, insatiable that we are? Can we hope for more argumentation and more discrepancy from one inquiring man than from three? I defy any one, be he armed with powers ever so Dictatorial—let him engross in his own person all the powers of his station, and be his own Master of the Horse into the bargain, to surpass the celebrated inquiry and report of Lord Gosford, and his learned and gallant coadjutors. I had vainly imagined that all the inquiry of the last three years might have been enough to satisfy the greatest appetite for delay and inaction; but I find I was deceived; we are still to falter and pause; the hour for action recedes as we advance; and the mighty measure of abrogating all law and creating a dictator, ends in sending out one Lord to renew the inquiries which had been making for three years under another.

I have uniformly stated my conviction that it is the duty of the Government here at length to make up their minds and pursue some intelligible and consistent course towards the Colony—above all, that sending Lord Durham thither without the only power which can ever be of the least use towards attaining the object we have in view, is a mere pretence for new delays. The alarm expressed at that power by the Noble Earl (Aberdeen) is to me incomprehensible. An Elective Council, he says, means the severance of the Colony—I have always held this to be a benefit and no

loss, provided it can be effected in peace, and leave only feelings of kindness on either side. But I deny that the giving an Elective Council can possibly produce such a consequence.—Men commit a great and a palpable mistake when, arguing from the analogy of the Parliament of England, they transfer to Canada the ideas connected with our Upper House. In the Colony there is no aristocracy nor any thing like an aristocracy—consequently the materials of an Upper House are there wholly wanting. But a yet more remarkable difference arises from the relation of colonial dependency. Why is this House in which we sit necessary for our limited Monarchy? It is because the Crown would, without its interposition, come into conflict with the People, represented in the Commons. The Monarch has no revenues but what he derives from the votes of that Lower House; if then he were to exercise his veto upon bills, all supplies would be stopt; and the Monarchy could not survive the shock were it often repeated, were not its violence mitigated by this Upper House being interposed between the other two branches. This House, by the influence which the Crown has in it, by its natural leaning towards the Court, and by its aversion to the extremes of popular opinion, relieves the Sovereign from the perilous office of refusing the measures sometimes pressed upon both by the representatives of the people. But the state of things in a Colony is essentially

different. There the Executive Government is not altogether dependent upon the supplies voted by the Commons—there the Commons have no more absolute power over the rest of the Government than they would have here, if Hanover or some other dependency of the Crown yielded a revenue of twenty millions a year, which could defray such expences as the Parliament might refuse to authorise. Consequently in the Colony, the Governor has no difficulty in rejecting bills, and exposes the constitution to no shock by the exercise of his veto. He wants no Upper House to do for him what he can safely do himself, and to deaden the concussion occasioned by a collision between him and the Commons. Were the Colonial Council then elective, there would none of the effects ensue which must follow from making this House a representative of the people like the other. Were we chosen and sent here by the same body that elects the Commons, any one must see that the only consequence would be, our having a House of Commons divided into two sections instead of one, sitting in two rooms, and passing bills through nine or ten stages instead of four or five; the Government would be wholly changed, and a pure Democracy substituted in its stead. In the Colony the reform of the Council or its total abolition, would not alter one jot the nature of the Government, or impede its working for an hour. The Commons might refuse supplies because the Governor rejected bills—each party

would for awhile stand out against the other ; in the end a middle course would be resorted to, each party giving up a little and gaining the rest ; and the supplies of the mother country administered by her Parliament would be forthcoming, whenever the sense of the Government and people of England went along with the Colonial executive, to overcome any very unreasonable and pertinacious resistance of the House respecting the Colonial people.—Unable then to discover the least danger from the change so much desired by all the Canadians, I deeply lament the short-sighted and inefficient policy of sending out a new emissary without the power of granting it, or even of entertaining the question ; and I remain decidedly of opinion, that whether we regard his own credit and honour, or the interests of the country and the colony, he had far better not go there at all, than proceed with mutilated powers upon a hopeless errand.

The Colonial experience, my Lords, of the Spanish Monarchy, fertile as it is in lessons of wisdom upon all subjects, is singularly so upon a question of this kind. There once broke out, as you are aware, a revolt so formidable, and so extensive, involving the whole of the most valuable of the settlements of Spain, that it is still known at the distance of three centuries as the Great Rebellion. I allude, of course, to the revolt of the Pizarros in Peru, compared with which, were the war in

Canada to rage with tenfold fury, it would be a mere nothing for danger and difficulty. The events of that famous passage have been recorded by the illustrious Historian, my revered kinsman, in that spirit of deep reflection for which he was renowned, and with a charm of style hardly exceeded by his celebrated narrative of Columbus's voyage, which it is difficult to read with a dry eye. The rebels had been eminently successful on all points ; the revolt had raged for above a year, and had wrapt all Peru in the flames of civil war. At the head of his hardy and adventurous veterans, Pizarro had met the Spanish troops, and overthrown them in many pitched battles. The Viceroy had himself been defeated, taken, and put to death ; the seat of Government was in the hands of the insurgents ; and a combined system of revolt had been universally established to the extinction of all lawful authority. In such an extremity, the Emperor Charles, a prince of vast experience, of practised wisdom in the councils both of peace and war ; a ruler, whose vigour never suffered him to falter ; saw that there remained but one course to pursue. He resolved to send out a person with ample powers of negociation and of command ; and his choice fell upon Pedro de la Gasca, who had, though in no higher station than Councillor of the Inquisition, distinguished himself by his ability and success in several delicate negotiations. He was recommended to the office by an enlarged ca-

pacity, hardly to be surpassed,—an insinuating
 address,—manners singularly courteous to all,—a
 temper the most conciliatory and bland,—above
 all, a rare disinterestedness and self-denial in
 whatever concerned himself, and a singular
 devotion to his public duties. Of this he early
 gave an unequivocal indication, in peremp-
 torily refusing the offer of higher rank in
 the Church, which the Emperor pressed upon
 him with the purpose of increasing his weight
 and influence in the arduous service entrusted to
 his hands, “ But (says the historian) while he
 “ discovered such disinterested moderation in all
 “ that related personally to himself, he demanded
 “ his official powers in a very different tone. He
 “ insisted, as he was to be employed in a country so
 “ remote from the seat of Government, where he
 “ could not have recourse to his Sovereign for new
 “ instructions on any emergency, and as the whole
 “ success of his negotiations must depend upon the
 “ confidence which the people with whom he had to
 “ treat could place in the extent of his power, that
 “ he ought to be invested with unlimited authority ;
 “ that his jurisdiction must reach to all persons,
 “ and to all causes ; that he must be empowered to
 “ pardon, to punish, or to reward, as circum-
 “ stances might require ; that in case of resistance
 “ from the malcontents, he might be authorized to
 “ reduce them by force of arms, to levy troops for
 “ that purpose, and to call for assistance from the

" Governments of all the Spanish settlements in
 " America." Powers like these seemed to the
 men of mere precedent in the Colonial office of
 Madrid, impossible to be granted to any subject,
 —they were the inalienable attributes of the preroga-
 tive, according to these official authorities—" But
 " the Emperor's views," says the historian, " were
 " more enlarged. As from the nature of his em-
 " ployment, Gasca must be intrusted with discre-
 " tionary power in some points, and all his efforts
 " might prove ineffectual, if he was circumscribed
 " in any one particular, (as for example, the grant-
 " ing of an Elective Council) Charles scrupled not
 " to invest him with authority to the full extent of
 " his demand. Highly satisfied (he adds) with this
 " fresh proof of his master's confidence, Gasca
 " hastened, (*much cheering attended the mention*
 " *of this word*)—he *hastened* his departure, and
 " without either money or troops, set out to quell
 " a formidable rebellion." The result is well
 known, and it was conformable to the vigour and
 the wisdom that presided over these preparations.
 Gasca arrived in Peru without any suite, or any
 pomp whatever ; he put in action the resources of
 his genius for negotiation ; dividing his adversa-
 ries by the justice of his proceedings, winning over
 many of all parties by the engaging suavity and
 mingled dignity of his manners, never making any
 sacrifice to temper or to selfishness of his arduous
 and important duty, but gaining every where

friends to his mission, while he hardly left an enemy to his person. His bold and uncourtly antagonist perceived that he was undone, if further time were given for the practice of diplomatic arts, alike strange to his nature and his habits. He rushed to the field, his proper element, and to those arms which were the only arts he knew. To his dismay he found that he had to cope with one whose universal genius for affairs fitted him for following up in action the councils of his provident sagacity. Gasca suddenly disclosed the result of the preparations which he had been making, while occupied in negotiating with the leaders of the revolt, and reclaiming the victims of their artifices. He equipped a fleet, met the cruisers of Pizarro, and captured them every where. He took the field against the veteran conquerors of the New World; he met their chief, overthrew him in a pitched battle, made him prisoner, put him to death with his principal accomplices, restored peace and order to the whole province, and gave back to the Spanish Crown, rather than kept in it, the brightest of its jewels.—To complete the glory of this great man, already so brilliant both in council and in arms, there wanted but one crowning passage, which should bestow upon him a yet higher fame, by shewing the genius that inspired his conduct, eclipsed by the virtue that governed it. Nor was this proof wanting. Master, by the fortune of the war, and by his unlimited powers, of the whole forfei-

tures of the rebellion, he distributed a far greater mass of wealth, in money, and mines, and land, and palaces, than was ever by any absolute potentate bestowed upon his followers or his favourites; and reserving not the fraction of a farthing for himself or his connexions, he retired to Europe, and rendered up his trust, leaving to his grateful Sovereign the payment of the few debts which he had contracted, and which his poverty disabled him from discharging. His reception by his country and his Prince was all that might be expected from public gratitude for unparalleled services, and from unbounded admiration of the highest and most various capacity. But he retired into the privacy of his former life, and passed (says Robertson) "the remainder of his days "in the tranquillity of seclusion, respected by his "country, honoured by his Sovereign, and beloved "by all."

Having, my Lords, called your attention to the lessons which this memorable passage of Colonial history presents to the Government, as peculiarly applicable to the circumstances of the existing crisis, I will not any longer stop to dwell upon a picture, which, I fear, offers to the eye only sad contrasts in all its material features, between the capacity and the vigour of former and of present times. And here, too, I willingly retire from the contemplation of the whole subject—painful to view in every respect—lamentable in some of its parts,—disgraceful in others. My closing words, my parting advice

are to retrace your steps, and do justice. Let the Government make the restoration of kindly feeling the main object of all their endeavours.—To compass this, let them go all lengths, and out of their way, in negotiating with the disaffected and in ruling the Province. Let them largely mingle mercy in the administration of its affairs.—Above all never let them listen to those who would persuade them, like the Noble Earl, (Aberdeen,) that what might have been rightly granted at one time it is dishonourable to give now that the suppliant has flown to arms, and become a rebel. If those concessions were wrong before, so are they wrong still, and I call upon you firmly to refuse them,—but if it ever would have been just and politic to yield them, be you well assured that nothing has happened to make it less wise, and less right now, and the fame of England never will be tarnished by doing her duty. Make that your rule and your guide, and you may laugh to scorn the empty babblers who would upbraid you with the weakness of yielding to armed petitioners; you will shew them that the concession is not made to the force of arms, but to the irresistible power of justice and of right. I devoutly pray that the end of all may be contentment and peace—that contentment and that peace without which outstretched empire is but extended weakness,—which, if you shall not restore, all your victories in the council, in the Legislature, in the

field, will be won in vain—which, if you do restore, you may defy the world in arms, and despise its slanders as well as its threats.

LORD MELBOURNE having expressed his satisfaction with the prudent advice offered by Lord Brougham, and in the soundness and wisdom of which he entirely concurred—proceeded to complain of the acerbity which characterized other parts of his speech ;—said he had long perceived,—had been aware three years ago that sooner or later it must come to this—that he felt thankful for his support in 1835, for his abstinence in 1836, and for his qualified opposition and partial support in 1837 ; adding that he felt no irritation in consequence of the different and more harsh course he now pursued,—and which no doubt arose from no personal considerations but solely from public spirit and from feelings of a patriotic kind.*

LORD BROUGHAM.—I purposely abstain on this occasion from going further into the personal remarks of the Noble Viscount, because I will not thus interrupt the discussion of a great public question. But when he compares and contrasts my conduct towards the Government this session with

* Lord Melbourne in referring to the proceedings of Gasca and the Peruvian rebellion, designated Dr. Robertson as a florid, lively, and fanciful historian, a description, perhaps, as notoriously inapplicable as it is truly original, of that great writer, the chasteness, of whose style is equal to the admitted accuracy and impartiality of his narrative.

that which I formerly held, he utterly and notoriously forgets the whole of the facts. Has he forgotten, can he have forgotten, that last May I both urged the same charges and recorded them on your Journals? I even pursued the self-same course of argument which has, I observe, to-night given him so great offence. He speaks of "acerbity." A person supposed to have used bitter remarks is perhaps not a judge of the comparative "acerbity" of his different observations—nor is that person, possibly, against whom they have been employed. But I venture to say, that of all I said this night, the portion which he felt the most bitter, and to which, be it observed in passing, he made not the least allusion, was my comparison of his conduct towards unrepresented Canada and well-represented Ireland. Well—last May I drew the very same comparison, and nearly in the same terms—made the same quotations from the Ministerial speeches in the Commons—and recorded the substance of the comparison in my protest. My Lords

—I indignantly and peremptorily deny that the motive or principle of my conduct is changed. But I know that the changed conduct of others has compelled me to oppose them, in order that I may not change my own principles. Do the Ministers desire to know what will restore me to their support, and make me once more fight zealously in their ranks, as I once fought with them against the majority of your Lordships? I will

tell them at once ! Let them retract their declaration against Reform, delivered the first night of this session, and their second declaration—by which (to use the Noble Viscount's phrase) they *exacerbated* the first ; or let them, without any retractation, only bring forward liberal and constitutional measures—they will have no more zealous supporter than myself. But, in the meantime, I now hurl my defiance at his head—I repeat it—I hurl at his head this defiance—I defy him to point out any, the slightest, indication of any one part of my public conduct having, even for one instant, been affected, in any manner of way, by feelings of a private and personal nature, or been regulated by any one consideration except the sense of what I owe to my own principles, and to the interests of the country !

THE END.